

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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Jordan Posyer, *on behalf of himself and others  
similarly situated in the proposed FLSA  
Collective Action,*

*Plaintiff,*

*- against -*

A.B.C. Tank Repair & Lining, Inc., A. Iengo Tank  
Cleaning Co., Inc., and Robert Iengo (a/k/a  
Roberto Iengo),

*Defendants.*  
-----X

Case No.: 22-cv-2069

**NOTICE OF ACCEPTANCE OF  
OFFER OF JUDGMENT  
PURSUANT TO  
FED.R.CIV.P. 68**

WHEREAS, pursuant Rule 68 of the Federal Rules of Civil Procedure (“Fed.R.Civ.P.”), Defendants A.B.C. Tank Repair & Lining, Inc., A. Iengo Tank Cleaning Co., Inc., and Robert Iengo (a/k/a Roberto Iengo) (collectively, the “Defendants”), having offered to allow Plaintiff Jordan Posyer (together, the “Plaintiff”) to take a judgment against the Defendants in this action in the total sum of Thirty Thousand Dollars and zero cents (\$30,000.00), payable as follows:

1. A payment in the amount of Thirty Thousand Dollars and zero cents (\$30,000.00) payable on or before April 11, 2023.

WHEREAS, in the event of Defendants’ failure to make any payment when due as set forth above, the breach shall result in accelerated payment of Thirty Thousand Dollars and zero cents (\$30,000.00) together with all costs and attorneys’ fees incurred by Plaintiff in connection with any efforts to enforce any Judgment, less any payments made by Defendants as set forth herein. Defendants acknowledge and agree that this calls for a judgment in a greater amount than the initial judgment amount as a penalty for an uncured default.

WHEREAS, the total sum of Thirty Thousand Dollars and zero cents (\$30,000.00) is inclusive of reasonable attorney’s fees, costs, and expenses, for Plaintiff’s claims against

Defendants arising out, alleged in, or related to, the facts and transactions alleged in the above-captioned action (the “Offer of Judgment”).

WHEREAS, a true and correct copy of the Offer of Judgment is annexed hereto as **Exhibit “A”**;

NOTICE IS HEREBY GIVEN that Plaintiff’s counsel hereby confirms acceptance of Defendants’ Offer of Judgment.

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: 

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Via ECF: All Counsel

Encl.